



Entered on Docket
March 01, 2007

A handwritten signature in black ink, appearing to read "Gregg W. Zive".

Hon. Gregg W. Zive
United States Bankruptcy Judge

Jeffrey L. Hartman, Esq. #1607
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E-Lodged 2/21/07

Attorneys for Creditor Rena Wells

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

IN RE:

Case No. BK-N-05-54727-GWZ

SCOTT K. GREENE,

Chapter 7

Debtor

**STIPULATION RE: RELEASE OF
EXEMPT PROPERTY; ORDER
THEREON**

Hearing Date: 2/15/07
Hearing Time: 2:00 p.m.

Creditor Rena Wells ("Wells"), Debtor Scott K. Greene ("Debtor") and chapter 7 trustee Anabelle Savage ("Trustee"), agree as follows:

1. On July 27, 2006, the court entered its Memorandum Decision On Debtor's Claim Of Exemption ("Decision"). Docket # 64.
2. The Decision held that the Debtor is entitled to a homestead exemption of \$125,000 in accordance with 11 U.S.C. §522(p).
3. The Debtor has appealed the Decision. Neither Wells nor the Trustee filed a cross appeal. The pending appeals regarding the balance of the homestead exemption, being District Court Case Nos 06-CV-00567 and 06-CV-00679 (BK Appeal Ref 06-12 and 06-15) are not being settled.

1 4. On October 25, 2006, the Trustee filed her Motion To Sell Free and Clear Of
2 Liens the property located at 450 Alamosa Drive, Sparks, Nevada ("Sale Motion"). Docket #
3 107.

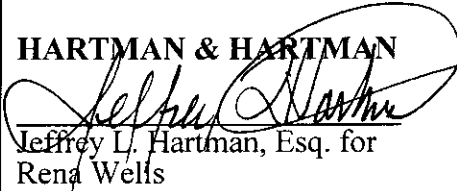
4 5. On October 29, 2006 the court granted the Sale Motion. Docket # 116. The
5 Trustee is holding the net proceeds of sale, including the \$125,000 representing the Debtor's
6 exempt proceeds.

7 6. Wells and the Debtor have settled adversary proceeding 06-05009. The terms of
8 the settlement provide that Debtor will pay Wells \$95,000 from the \$125,000 in exempt
9 proceeds of sale after receipt of which, Wells will dismiss 06-05009 with prejudice.

10 7. The Trustee, as estate representative, has no interest in the \$125,000 in exempt
11 proceeds of sale. Accordingly,

12 IT IS STIPULATED AND AGREED that upon court approval of this Stipulation, the
13 Trustee shall immediately pay \$95,000 to Rena Wells; \$18,381.11 to Debtor's counsel, John
14 White, Esq. of White Law Chartered, and the balance of \$11,618.89 to Scott K. Greene.
15 Upon receipt of the \$95,000 as available funds, Wells shall file a stipulated dismissal of adv.
16 no. 06-05009.

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18 **HARTMAN & HARTMAN**

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20 Jeffrey L. Hartman, Esq. for
21 Rena Wells

WHITE LAW CHARTERED

John White, Esq. for Scott K. Greene

Scott K. Greene

22 **COPE & GUERRA**

23 _____
24 William D. Cope, Esq. for
25 Anabelle Savage, Trustee

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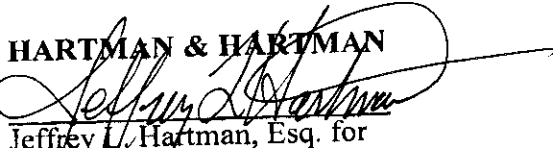
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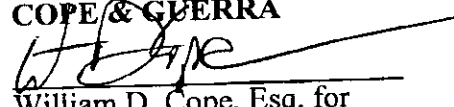
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Scott K. Greene
